

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

JAMES R. MUENCH, JR.,

Defendant.

25-MJ-94-HKS

NOTICE OF MOTION

MOTION BY:

Brian P. Comerford, Supervisory Assistant Federal
Public Defender

DATE, TIME & PLACE:

Before the Honorable H. Kenneth Schroeder, Jr.,
United States Magistrate Judge, Robert H. Jackson
United States Courthouse, 2 Niagara Square,
Buffalo, New York, **on the papers submitted.**

SUPPORTING PAPERS:

Affirmation of Supervisory Assistant Federal Public
Defender Brian P. Comerford, dated July 29, 2025

RELIEF REQUESTED:

Adjournment of Rule 48(b) Date.

DATED:

Buffalo, New York, July 29, 2025

/s/ Brian P. Comerford

Brian P. Comerford
Supervisory Assistant Federal Public Defender
Federal Public Defender's Office
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brian_comerford@fd.org
Counsel for Defendant

TO: Franz M. Wright
Assistant United States Attorney
Western District of New York
138 Delaware Avenue, Federal Centre
Buffalo, New York 14202

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v.

AFFIRMATION

JAMES R. MUENCH, JR.,

Defendant.

BRIAN P. COMERFORD, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and was assigned to represent the above-named defendant, James R. Muench, Jr.
2. This case is scheduled for a Rule 48(b) date on August 15, 2025.
3. I respectfully request that the Court adjourn this date for approximately 60 days. I recently took this case over from AFPD Frank Passafiume. I spoke with AUSA Franz Wright today and he indicated that the Government is in the process of providing discovery. I need time to review this discovery and meet with Mr. Muench to discuss the case and answer any questions he has. We will also use this time to discuss any possible pre-indictment resolution options.
4. I have discussed this request with Assistant U.S. Attorney Franz Wright and he has indicated that the Government has no objection.
5. We agree that the intervening time should be excluded under the Speedy Trial Act.

DATED: Buffalo, New York, July 29, 2025

Respectfully submitted,

/s/ Brian P. Comerford

Brian P. Comerford

Supervisory Assistant Federal Public Defender

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